

### Remarks

Reconsideration of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

This Amendment has been made to put this application in condition for immediate allowance. No new issues have been raised in this Amendment which would require a further search. Entry of this Amendment is respectfully requested.

Authorization is hereby given to charge any deficiency in fees in connection with this Amendment to our Deposit Account No. 11-0600.

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, 23-34 were pending prior to this Amendment.

Claims 32-34 were withdrawn from consideration.

Claims 1, 23 and 31 have been amended to more particularly point out and distinguish applicants' invention. Support for the amendment of claims 1 and 23, may be found in the specification as filed *inter alia* at page 7, lines 15-18, in Table 1 at page 12; and in Table 2 at page 14. Support for the amendment of claim 31, may be found in the specification as filed *inter alia* at page 7, lines 15-18; page 9, lines 4-11; in Table 4 at page 21; and in Table 2 at page 14.

Claims 1, 3, 5-9, 11-13, 15, 16, 19-21, and 23-31 are presently pending for the consideration of the Primary Examiner.

In summary, applicants' claims have been amended to better comply with 35 U.S.C. §112.

In view of the preceding, it is respectfully submitted that the subject application is now in condition for allowance. A Notice of Allowance is earnestly solicited. If Primary Examiner has any questions or wishes to discuss this matter further, he is kindly asked to call the undersigned attorney.

Respectfully submitted,

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**PATENT APPLICATION FEE DETERMINATION RECORD**

Effective January 1, 2003

Application or Docket Number

08/928893

**CLAIMS AS FILED - PART I**

(Column 1) (Column 2)

TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	24	minus 20 = * 4
INDEPENDENT CLAIMS	3	minus 3 = *
MULTIPLE DEPENDENT CLAIM PRESENT		<input type="checkbox"/>

SMALL ENTITY  
TYPE

RATE	FEE	RATE	FEE
BASIC FEE	\$375	BASIC FEE	\$750
X\$ 9=		X\$18=	72.00
X42=		X84=	
+140=		+280=	
TOTAL		TOTAL	72.00 <i>per</i>

\* If the difference in column 1 is less than zero, enter "0" in column 2

**CLAIMS AS AMENDED - PART II**

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	* <i>      </i>	Minus	** =
	Independent	* <i>      </i>	Minus	*** =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

SMALL ENTITY OR OTHER THAN  
SMALL ENTITY

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		X\$18=	
X42=		X84=	
+140=		+280=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	* <i>      </i>	Minus	** =
	Independent	* <i>      </i>	Minus	*** =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		X\$18=	
X42=		X84=	
+140=		+280=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
	Total	* <i>      </i>	Minus	** =
	Independent	* <i>      </i>	Minus	*** =
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			<input type="checkbox"/>	

RATE	ADDI- TIONAL FEE	RATE	ADDI- TIONAL FEE
X\$ 9=		X\$18=	
X42=		X84=	
+140=		+280=	
TOTAL ADDT. FEE		TOTAL ADDT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

**PATENT APPLICATION FEE DETERMINATION RECORD**

Effective October 1, 1996

Application or Docket Number

928893

**CLAIMS AS FILED - PART I**

(Column 1)

(Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	19	minus 20 = *
INDEPENDENT CLAIMS	1	minus 3 = *
MULTIPLE DEPENDENT CLAIM PRESENT		

\* If the difference in column 1 is less than zero, enter "0" in column 2

SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
RATE		RATE
		385.00
OR		770.00
x\$11=		
		x\$22=
x40=		x80=
+130=		+260= 260
TOTAL		TOTAL 1030

**CLAIMS AS AMENDED - PART II**

(Column 1)

(Column 2)

(Column 3)

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	Minus	**	=
Independent	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

SMALL ENTITY

OR

OTHER THAN  
SMALL ENTITY

SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
RATE		ADDITIONAL FEE
x\$11=		x\$22=
x40=		x80=
+130=		+260=
TOTAL		TOTAL

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	18	Minus	** 20 = 0
Independent	*	1	Minus	*** 3 = 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

ADDITIONAL  
FEE

OR

ADDITIONAL  
FEE

ADDITIONAL FEE	OR	ADDITIONAL FEE
RATE		ADDITIONAL FEE
x\$11=		x\$22=
x40=		x80=
+130=		+260=
TOTAL		TOTAL

AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	*	27	Minus	** 20 = 7
Independent	*	2	Minus	*** 3 = 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				

ADDITIONAL  
FEE

OR

ADDITIONAL  
FEE

ADDITIONAL FEE	OR	ADDITIONAL FEE
RATE		ADDITIONAL FEE
x\$11=		x\$22= 126
x40=		x80= /
+130=		+260=
TOTAL		TOTAL

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."  
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

UNITED STATES PATENT & TRADEMARK OFFICE  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 1-6-94 2 Serial/Patent # 07/910135

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing		14341740	\$ 120
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
	Petition			\$
	Issue			\$
	Cert of Correction/Terminal Disc.			\$
	Maintenance	11 0600		\$
	Assignment			\$
	Other			\$

7 TOTAL AMOUNT OF REFUND \$ 120

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Credit Deposit A/C #:

11 0600

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Overpayment

Duplicate Payment

No Fee Due (Explanation):

EPD did the Search

11 REFUND REQUESTED BY: P. Kedwell

TYPED/PRINTED NAME: CATHY SHOT

TITLE: SUPERVISOR

SIGNATURE: P. Kedwell for C. Shot

PHONE: 3053165

OFFICE: PCT

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APPROVED: Jay Kurf

DATE: 1/27/94

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## U.S. PATENT APPLICATION

SERIAL NUMBER	FILING DATE	CLASS	GROUP ART UNIT
07/910,133	07/14/93	435	1808

APPLICANT

HEIKKI HEIKKILA, ESPOO, FINLAND; GORAN HYOKY, KANTVIK, FINLAND; LEENA RAHKILA, ESPOO, FINLAND; MARJA-LEENA SARKKI, KANTVIK, FINLAND; TAPIO VILJAVA, KIRKKONUMMI, FINLAND.

## \*\*CONTINUING DATA\*\*\*\*\*

VERIFIED

## \*\*FOREIGN/PCT APPLICATIONS\*\*\*\*\*

VERIFIED	PCT	PCT/FI91/00011	01/10/91
	FINLAND	900220	01/15/90

STATE OR COUNTRY	Sheets Drawing	Total Claims	Independent Claims	Filing Fee Received	Attorney Docket No.
FIX	1	14	1	\$1,140.00	85940/11

ADDRESS

KENNETH E. MADSEN  
 KENYON & KENYON  
 ONE BROADWAY  
 NEW YORK NY 10004

TITLE

PROCESS FOR THE SIMULTANEOUS PRODUCTION OF XYLITOL AND ETHANOL

This is to certify that annexed hereto is a true copy from the records of the United States Patent and Trademark Office of the application which is identified above.

By authority of the  
 COMMISSIONER OF PATENTS AND TRADEMARKS

Date

Certifying Officer

08 Rec'd PCT/PTO 07 1991 FEB

PATENT COOPERATION TREATY

INTERNATIONAL APPLICATION NO. PCT/FI91/00011

To:

United States Patent  
and Trademark Office  
Washington, D.C.

in its capacity as a designated Office

DATE OF MAILING OF  
THIS NOTIFICATION:  
28 January 1991 (28.01.91)

From:  
The International Bureau of WIPO  
1211 Geneva 20  
Switzerland

NAME(S) OF APPLICANT(S):

HEIKKILÄ, Heikki et al.

INTERNATIONAL FILING DATE:

10 January 1991 (10.01.91)

PRIORITY DATE(S) CLAIMED:

15 January 1990 (15.01.90)

DATE OF RECEIPT OF RECORD COPY BY INTERNATIONAL BUREAU:  
28 January 1991 (28.01.91)

D. Barmes  
(Authorized Officer)

## PATENT COOPERATION TREATY

INTERNATIONAL APPLICATION NO. PCT/FI91/00011

To:

United States Patent  
and Trademark Office  
Washington, D.C.

in its capacity as an elected Office

DATE OF MAILING OF  
THIS NOTIFICATION:  
31 July 1991 (31.07.91)

From:  
The International Bureau of WIPO  
1211 Geneva 20  
Switzerland

APPLICANT (NAME):

HEIKKILÄ, Heikki et al.

INTERNATIONAL FILING DATE:

10 January 1991 (10.01.91)

PRIORITY DATE CLAIMED:

15 January 1990 (15.01.90)

The said election was made in the demand received by the International Preliminary  
Examining Authority on:

05 June 1991 (05.06.91)

M.C. Taylor  
(Authorized Officer)

P A T E N T

C O O P E R A T I O N

11 Rec'd PCT/PTO

05 MAY 1992

T R E A T Y

TO:

United States Patent  
and Trademark Office  
Washington, D.C.

FROM:

the INTERNATIONAL BUREAU of the  
WORLD INTELLECTUAL PROPERTY  
ORGANIZATION

NOTIFICATION CONCERNING  
DOCUMENTS TRANSMITTED

Issued pursuant to PCT  
Article 36(3)(a)

(as elected Office)

Date of Mailing:

24 April 1992 (24.04.92)

## NOTIFICATION

The International Bureau transmits herewith the following documents and number thereof:

1 (number of) copy(s) of the international preliminary examination report (Article 36(3)(a)).

This notification is sent to the above addressee in its capacity as an elected Office.

THE INTERNATIONAL BUREAU OF THE WORLD INTELLECTUAL PROPERTY ORGANIZATION

Mailing Address:

WIPO  
34, chemin des Colombettes  
1211 Geneva 20  
Switzerland

Authorised Officer:

M. Abidine



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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07/910,130 07/14/90 RET/KLP

R 85940/11

EXAMINER

NAFF J.D.

12/2/9516

ART UNIT

PAPER NUMBER

KENNETH E. MADSEN  
KENYON & KENYON  
ONE BROADWAY  
NEW YORK, NY 10004

1808

DATE MAILED:  
09/16/96

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined *A* Responsive to communication filed on 6/24/96 *A* This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice of Draftsman's Patent Drawing Review, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6.  \_\_\_\_\_

**Part II SUMMARY OF ACTION**

1.  Claims 1, 3-13, 15, 16, 19 + 20 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims 2, 14, 17 + 18 have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1, 3-13, 15, 16, 19 + 20 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

*7*  
EXAMINER'S ACTION